# CITY OF MINNEAPOLIS LICENSES AND CONSUMER SERVICES 350 SOUTH 5<sup>TH</sup> STREET, ROOM 1-C, CITY HALL MINNEAPOLIS, MN 55415

## FINDINGS OF FACT CONCLUSIONS, AND RECOMMENDATIONS

IN THE MATTER OF LIC. NO. L155 50632 HIGHLAND MARKET for FOOD GROCERY LICENSE; L157 50190 for MEAT MARKET LICENSE; L022 50855 for TOBACCO LICENSE

Held by:

HIGHLAND MARKET LLC DBA: HIGHLAND MARKET 2600 CENTRAL AVE NE MINNEAPOLIS, MN 55418

12-0915013

This matter came before a License Settlement Conference hearing on Friday, May 18, 2012 at 11:00 AM in Room 1C, Minneapolis City Hall. Appearing on behalf of the licensee were Hassan Jibrell, Owner, Highland Market, Abdulhamid Jibrell, employee, Highland Market. Appearing for the City of Minneapolis were Grant Wilson, Manager of Licenses and Consumer services, Linda Roberts, District Supervisor, Dan Jacobs, License Inspector, Nicholas Jaurez, Crime Prevention Specialist 2<sup>nd</sup> Precinct, Lt. Bruce Jensen, 2<sup>nd</sup> Precinct, and Mohamed Hajin, Somali Interpreter. Based on the evidence presented at the hearing, the department makes the following findings of fact:

#### FINDINGS OF FACT

- 1. Highland Market has been licensed to conduct business in the city of Minneapolis since 2008.
- 2. On November 18, 2011, Jibrell Ibrahim Hassan, employee and son of the owner of Highland Market, was arrested and found to be in possession of 10 EBT cards and a stolen credit card which is a criminal offence under MN Statute 609.821. He attempted to use the stolen credit card for a purchase at a business called My Tech. The Cards were confiscated. The owner of Highland Market Hassan Jibrell stated he was not aware of this fraud and theft.

- 3. Mr. Hassan allegedly, illegally obtained the EBT and credit card as an employee and agent of Highland Market which is a violation of MCO 259.250 (l). The credit card was allegedly stolen from a customer who had used the card at Highland Market.
- 4. There have been 41 police calls for service in 2012 and there have been numerous complaints from residents related to loitering and other negative behaviors.

### **CONCLUSION**

The alleged illegal procession of EBT cards and forgery and attempted use of a credit card by Jabrell Ibrrahim Hassan, employee and son of the owner of Highland Market, and the high amount of complaints from residents and police calls for service due to excessive loitering and illegal activities occurring in the vicinity of the business raise a high amount of concern and is a violation of 259.250 (l). These issues create an environment that discourages positive retail shopping opportunities for the neighborhood. To ensure adherence to all laws and further address these problems, a series of business operating conditions were developed in cooperation with the owner, Mr. Hassan Jibrell.

## RECOMMENDATIONS

The Division of Licenses and Consumer Services recommends that the business licenses held by Highland market be henceforth maintained subject to the set of operating conditions mutually agreed upon. It is further agreed upon that by signing the operating conditions attached, the licensee understands that any operations in violation of said conditions will result in additional adverse license actions which may include revocation, suspension, or denial of renewal of all business licenses held at this location.

### BUSINESS LICENSE OPERATING AGREEMENT

HIGHLAND MARKET LLC DBA: HIGHLAND MARKET HASSAN JIBRELL 2600 CENTRAL AVENUE NORTH MINNEAPOLIS, MN 55428

15-JUNE-12

Re: L155-50632 HIGHLAND MARKET for FOOD GROCERY; L157 50190 for MEAT MARKET; L022 50855 for TOBACCO

1) "No Trespassing" signs will remain clearly posted on the exterior of the business. Store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 9-1-1 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity. Mpls Ord. 259.250(1) (I), and Minnesota Statute 609.605.

- 2) The business has agreed to terminate the employment of Jibrell Ibrahim Hassan, son of Hassan Jibrell, owner, Highland Market. Additionally, the business has agreed to trespass Jibrell Ibrahim Hassan and not allow him on the business property.
- 3) The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include bongs, glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy products, tobacco pipes, small zip lock bags also known as jewelry bags, The business will also agree not to supply matches to non-tobacco customers.
- 4) The business agrees to keep all exterior and interior lights illuminated and functioning properly. Mpls Ord. 259.250 (8)
- 5) In addition to the requirement specified in Minneapolis Ord. 543.350. All windows will be free of signs and other items that block the view in and out,
- 6) Owner shall comply with the Surveillance Camera Ordinance. Mpls Ord. 259.230. Additionally, the business will install (2) two exterior cameras.
- 7) The business agrees to clean the property, and all areas within 100 feet of the property line of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.
- 8) Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.
- 9) The business agrees to have two employees on duty from 2:30 PM to 8:30 PM so the interior and exterior can be closely monitored.

Highland Market understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

Business

HighLand Market

By: (signature)

Its: Ole ner (title)

Dated:  $\frac{1}{1}$  /  $\frac{1}{9}$  , 20 12

For the City of Minneapolis:

Grant J. Wilson

Manager

Dated: June 27, 2012